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AT&T Mobility LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

**IN RE APPLE & AT&T ANTI-TRUST
LITIGATION**

Case No. 07-05152-JW

**[PROPOSED] ORDER COMPELLING
ARBITRATION AND DISMISSING
CLAIMS AGAINST AT&T MOBILITY
LLC**

Date: September 12, 2008
Time: 9:00 a.m.

Honorable James Ware

1 The Court, having considered Defendant AT&T Mobility LLC's Notice of Motion and
2 Motion to Compel Arbitration and to Dismiss Claims Pursuant to the Federal Arbitration Act, the
3 Memorandum of Points and Authorities, the Declarations of Neal S. Berinhout, Cynthia
4 Hennessy, Richard A. Nagareda, and Kevin Ranlett, and all exhibits thereto, and after hearing
5 arguments of counsel, and finding good cause therefor,

6 **IT IS HEREBY ORDERED THAT:**

7 Plaintiffs Herbert Kliegerman, Paul Holman, Lucy Rivello, Timothy P. Smith, Michael
8 G. Lee, Dennis V. Macasaddu, Mark G. Morikawa, Vincent Scotti, and Scott Sesso shall arbit-
9 rate their claims against defendant AT&T Mobility LLC or pursue them in small claims court.
10 The Plaintiffs' claims against AT&T Mobility LLC are dismissed.

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Honorable James Ware